



January 13, 2021

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**Re: Notice of Claimant's Intent to Consolidate and Opportunity for Eligible Claimants to Join the Consolidated Claim**

*Municipal Storm Water and Urban Runoff Discharges*, 20-0304-I-08

Los Angeles Regional Quality Control Board Order No. 01-182,

Permit CAS004001, Part 4F5c3

Fiscal Years: 2002-2003, 2003-2004, 2004-2005, 2005-2006, 2006-2007, 2007-2008, 2008-2009, 2009-2010, 2010-2011, 2011-2012, 2012-2013

County of Los Angeles, Claimant

Dear Messrs. Aluzri, Beeman, Cisneros, Cobbett, Cruz, Danaj, Dobrenen, Elliot, Erganian, Espinoza, Farfsing, Fields, Gallucci, Gandhi, Gomez, Grunklee, Honeycutt, Iniguez, Kaholokula, Koehler, Martson, Matsumoto, Ometeotl, Pirrie, Quach, Stewart, Striplin, Tsao, and Mss. Barrera, Chinn, Copeland, Decavalles-Hughes, Hollinsworth, Johnston, Lam, Lowry, Lugotff, Overholt, Pendleton, Sidarous, Solis, Stuard, Tam, Yaung, and Yutan:

On November 5, 2020, the County of Los Angeles (Claimant) filed the above-captioned Incorrect Reduction Claim (IRC) with the Commission on State Mandates (Commission), with the intent to consolidate on behalf of other similarly situated claimants. This IRC is based on the State Controller's (Controller's) reductions to its reimbursement claims for costs incurred under the *Municipal Storm Water and Urban Runoff Discharges*, 03-TC-04, 03-TC-20, 03-TC-21 program, for fiscal years 2002-2003 through 2012-2013. Upon review, Commission staff found this IRC to be complete and on December 10, 2020 notified the Claimant and requested that the Controller file its list of all claims reduced under this program within 30 days.

Requirements for Consolidation of Incorrect Reduction Claims

Government Code section 17551(d) requires the Commission to hear and decide claims by local agencies and school districts that the Controller has incorrectly reduced payments to the local agencies or school districts.

Pursuant to Government Code section 17558.7(b) and section 1185.3 of the Commission's regulations, the Commission shall request that the Controller provide, within 30 days, the Commission and the Claimant with a list of claimants for whom the Controller has reduced similar claims under the same mandate, and the date each claimant was notified of the adjustment.

On January 11, 2021, the Controller filed its list of all claimants with claims reduced under this program. Therefore, the Commission hereby notifies all claimants on the list and other interested parties on the mailing list of the claimant's intent to file a consolidated incorrect reduction claim and of other eligible claimant's opportunity to join the consolidated claim (Gov. Code §17558.7(b)(4), Cal. Code. Regs., tit. 2 § 1185.3.) Within 30 days of receipt of the notice of intent to consolidate, any other eligible claimant may join the consolidated IRC by filing and serving a notice of intent to join (using the Commission's IRC form which may be found at: <https://www.csm.ca.gov/forms/IRCFORM.pdf>) in accordance with section 1181.3 of the

Messrs. Aluzri, Beeman, Cisneros, Cobbett, Cruz, Danaj, Dobrenen, Elliot, Erganian, Espinoza, Farfsing, Fields, Gallucci, Gandhi, Gomez, Grunklee, Honeycutt, Iniguez, Kaholokula, Koehler, Martson, Matsumoto, Ometeotl, Pirrie, Quach, Stewart, Striplin, Tsao, and Mss. Barrera, Chinn, Copeland, Decavalles-Hughes, Hollinsworth, Johnston, Lam, Lowry, Lugotff, Overholt, Pendleton, Sidarous, Solis, Stuard, Tam, Yaung, and Yutan

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Commission's regulations. The notice of intent to join shall contain at least the following elements and documents:

- 1) A copy of the final state audit report, letter, or other written notice of adjustment from the Controller that explains the claim components adjusted, amounts reduced, and the reasons for the reduction.
- 2) A copy of the subject reimbursement claims submitted to the Controller.
- 3) A notice of intent to join a consolidated IRC which shall include a certification by the joining claimant authorizing the original claimant (here, the County of Los Angeles) to act as its representative in the consolidated IRC, and shall also include a declaration under penalty of perjury that the filing is true and complete to the best of the declarant's personal knowledge, information, or belief. The date signed, the declarant's title, address, telephone number, and e-mail address shall be included. All representations of fact shall be supported by testimonial or documentary evidence in accordance with section 1187.5 of the Commission's regulations.<sup>1</sup>

Pursuant to Government Code section 17558.7(f), each claimant that files a notice of intent to join a consolidated incorrect reduction claim may later opt out and not be bound by any determination made on the consolidated IRC by filing a written notice of intent to opt out with the Commission within 15 days of service of the Controller's comments which must be served in accordance with section 1181.3 of the Commission's regulations. In such a case, the former individual IRC on file is reinstated, or if there is no IRC on file, the claimant has one-year to file the IRC from the date of the notice of intent to opt out, so long as the claimant's notice of intent to join was filed within the statute of limitations. (Cal. Code. Regs., tit. 2 § 1185.5.)

As of January 11, 2021, the following cities were listed on the Controller's List of All Claims Reduced Under *Municipal Storm Water and Urban Runoff Discharges*, 03-TC-04, 03-TC-20, 03-TC-21 Program:

Alhambra, City of 07/13/16  
Arcadia, City of 09/05/17  
Baldwin Park, City of 02/05/18  
Bellflower, City of 10/25/16  
Bell Gardens, City of 01/04/16  
Bell Gardens, City of 10/20/17  
Beverly Hills, City of 02/02/15  
Carson, City of 08/08/16  
Cerritos, City of 09/29/16  
Claremont, City of 03/23/16  
Claremont, City of 10/20/17  
Commerce, City of 01/04/16

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<sup>1</sup> Cal. Code. Regs., tit. 2 § 1185.4.

Messrs. Aluzri, Beeman, Cisneros, Cobbett, Cruz, Danaj, Dobrenen, Elliot, Erganian, Espinoza, Farfsing, Fields, Gallucci, Gandhi, Gomez, Grunklee, Honeycutt, Iniguez, Kaholokula, Koehler, Martson, Matsumoto, Ometeotl, Pirrie, Quach, Stewart, Striplin, Tsao, and Mss. Barrera, Chinn, Copeland, Decavalles-Hughes, Hollinsworth, Johnston, Lam, Lowry, Lugotff, Overholt, Pendleton, Sidarous, Solis, Stuard, Tam, Yaung, and Yutan

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Commerce, City of 09/12/18  
Covina, City of 09/07/16  
Cudahy, City of 11/02/15  
Downey, City of 06/30/17  
Gardena, City of 03/04/16  
Glendale, City of 10/16/15  
Glendora, City of 03/30/16  
Glendora, City of 08/09/18  
Hawaiian Gardens, City of 03/22/16  
Hawaiian Gardens, City of 08/09/18  
Hermosa Beach, City of 03/30/17  
Inglewood, City of 09/08/16  
La Puente, City of 03/10/16  
La Puente, City of 12/15/17  
Lakewood, City of 11/27/17  
Lawndale, City of 03/14/16  
Los Angeles, City of 04/11/17  
Los Angeles County 11/06/17  
Lynwood, City of 02/02/16  
Lynwood, City of 06/16/17  
Manhattan Beach, City of 03/30/17  
Monterey Park, City of 03/14/16  
Norwalk, City of 05/23/17  
Palmdale, City of 01/04/16  
Paramount, City of 05/18/17  
Pasadena, City of 11/21/16  
Pomona, City of 05/10/16  
Pomona, City of 05/21/18  
San Fernando, City of 10/31/16  
San Gabriel, City of 01/04/16  
Santa Clarita, City of 08/28/18  
Santa Fe Springs, City of 04/19/16  
Santa Fe Springs, City of 10/04/18  
Santa Monica, City of 11/16/16  
Signal Hill, City of 06/25/18  
South Gate, City of 10/27/17  
South Pasadena, City of 09/28/18  
Torrance, City of 08/03/16  
West Covina, City of 04/25/16

Messrs. Aluzri, Beeman, Cisneros, Cobbett, Cruz, Danaj, Dobrenen, Elliot, Erganian, Espinoza, Farfsing, Fields, Gallucci, Gandhi, Gomez, Grunklee, Honeycutt, Iniguez, Kaholokula, Koehler, Martson, Matsumoto, Ometeotl, Pirrie, Quach, Stewart, Striplin, Tsao, and Mss. Barrera, Chinn, Copeland, Decavalles-Hughes, Hollinsworth, Johnston, Lam, Lowry, Lugotff, Overholt, Pendleton, Sidarous, Solis, Stuard, Tam, Yaung, and Yutan

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Please note that only those cities that file an incorrect reduction claim *and* a notice of intent to join the county's claim, or simply a notice of intent to join the consolidated incorrect reduction claim within the 3-year period of limitation to file from the first written notification from the Controller of the reduction and reasons for the reduction, may join this proposed consolidated claim. (Cal. Code Regs., tit. 2, 1185.1.) All claims or notices of intent to join filed beyond the period of limitation will be returned to the filer due to lack of jurisdiction.

**Filing Written Materials.** All written representations of fact made to the Commission are required to be supported by documentary or testimonial evidence submitted under penalty of perjury. (Cal. Code Regs., tit. 2, 1187.5.)

The Commission's regulations require that written materials filed with the Commission be electronically filed (e-filed) in an unlocked legible and searchable PDF file, using the Commission's Dropbox. (Cal. Code Regs., tit. 2, 1181.3(c)(1).) Refer to <https://www.csm.ca.gov/dropbox.php> on the Commission's website for electronic filing instructions. If e-filing would cause the filer undue hardship or significant prejudice, filing may occur by first class mail, overnight delivery or personal service only upon approval of a written request to the executive director. (Cal. Code Regs., tit. 2, 1181.3(c)(2).)

If you would like to request an extension of time, please refer to section 1187.9(a) of the Commission's regulations.

**Informal Conference.** An informal conference may be scheduled if requested. Refer to section 1187.4 of the Commission's regulations.

**Public Hearing and Draft Proposed Decision.** The public hearing on this claim has been tentatively scheduled for **July 22, 2022**.<sup>2</sup> The Draft Proposed Decision will be issued for comment at least eight weeks prior to the public hearing.

Sincerely,



Heather Halsey  
Executive Director

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<sup>2</sup> If one or more of the claimants with existing IRCs on this program join in this consolidated IRC, the tentative hearing date may be set as early as May 28, 2021.

**DECLARATION OF SERVICE BY EMAIL**

I, the undersigned, declare as follows:

I am a resident of the County of Sacramento and I am over the age of 18 years, and not a party to the within action. My place of employment is 980 Ninth Street, Suite 300, Sacramento, California 95814.

On January 13, 2021, I served the following documents:

- **Notice of Claimant’s Intent to Consolidate and Opportunity for Eligible Claimants to Join the Consolidated Claim issued January 13, 2021**  
*Municipal Storm Water and Urban Runoff Discharges, 20-0304-I-08*  
Los Angeles Regional Quality Control Board Order No. 01-182,  
Permit CAS004001, Part 4F5c3  
Fiscal Years: 2002-2003, 2003-2004, 2004-2005, 2005-2006, 2006-2007, 2007-2008, 2008-2009, 2009-2010, 2010-2011, 2011-2012, 2012-2013  
County of Los Angeles, Claimant
  
- **Controller’s List of All Claims Reduced Under the *Municipal Storm Water and Urban Runoff Discharges, 03-TC-01, 03-TC-20, 03-TC-21* Program filed January 11, 2021**

By making them available on the Commission’s website and providing notice of how to locate them to the email addresses provided on the attached mailing lists.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on January 13, 2021 at Sacramento, California.

  
\_\_\_\_\_  
Jill L. Magee  
Commission on State Mandates  
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# COMMISSION ON STATE MANDATES

## Mailing List

**Last Updated:** 1/4/21

**Claim Number:** 18-0304-I-01

**Matter:** Municipal Storm Water and Urban Runoff Discharges

**Claimant:** City of Bellflower

### TO ALL PARTIES, INTERESTED PARTIES, AND INTERESTED PERSONS:

Each commission mailing list is continuously updated as requests are received to include or remove any party or person on the mailing list. A current mailing list is provided with commission correspondence, and a copy of the current mailing list is available upon request at any time. Except as provided otherwise by commission rule, when a party or interested party files any written material with the commission concerning a claim, it shall simultaneously serve a copy of the written material on the parties and interested parties to the claim identified on the mailing list provided by the commission. (Cal. Code Regs., tit. 2, § 1181.3.)

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# COMMISSION ON STATE MANDATES

## Mailing List

**Last Updated:** 1/4/21

**Claim Number:** 19-0304-I-02

**Matter:** Municipal Storm Water and Urban Runoff Discharges

**Claimant:** City of Norwalk

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# COMMISSION ON STATE MANDATES

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**Last Updated:** 1/4/21

**Claim Number:** 19-0304-I-03

**Matter:** Municipal Storm Water and Urban Runoff Discharges

**Claimant:** City of Arcadia

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# COMMISSION ON STATE MANDATES

## Mailing List

**Last Updated:** 1/4/21

**Claim Number:** 19-0304-I-04

**Matter:** Municipal Storm Water and Urban Runoff Discharges

**Claimant:** City of Downey

### TO ALL PARTIES, INTERESTED PARTIES, AND INTERESTED PERSONS:

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# COMMISSION ON STATE MANDATES

## Mailing List

**Last Updated:** 1/4/21

**Claim Number:** 19-0304-I-05

**Matter:** Municipal Storm Water and Urban Runoff Discharges

**Claimant:** City of La Puente

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# COMMISSION ON STATE MANDATES

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**Last Updated:** 1/4/21

**Claim Number:** 20-0304-I-06

**Matter:** Municipal Storm Water and Urban Runoff Discharges

**Claimant:** City of Claremont

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# COMMISSION ON STATE MANDATES

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**Last Updated:** 1/4/21

**Claim Number:** 20-0304-I-07

**Matter:** Municipal Storm Water and Urban Runoff Discharges

**Claimant:** City of Lakewood

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**Last Updated:** 1/13/21

**Claim Number:** 20-0304-I-08

**Matter:** Municipal Storm Water and Urban Runoff Discharges

**Claimant:** County of Los Angeles

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